

EXHIBIT 15

CONFIDENTIAL
SUBJECT TO PROTECTIVE ORDER

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 21 *Corporation and Sharp Electronics Manufacturing*
 22 *Company of America, Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

23 IN RE CATHODE RAY TUBE (CRT)
 24 ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC
MDL No. 1917

25 This Document Relates to:

26 *Sharp Electronics Corp, et al. v. Hitachi Ltd, et al.*

**RESPONSE TO THOMSON SA'S
FIRST SET OF REQUESTS FOR
ADMISSION TO PLAINTIFFS
SHARP ELECTRONICS
CORPORATION AND SHARP
ELECTRONICS
MANUFACTURING COMPANY OF
AMERICA, INC.**

27 **PROPOUNDING PARTY:** Defendant Thomson SA (n/k/a Technicolor SA)

28 **RESPONDING PARTIES:** Sharp Electronics Corporation and Sharp Electronics
Manufacturing Company of America, Inc.

SET NO: One

1 Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure and Rule
2 36.1 of the Local Rules of the Northern District of California, Plaintiffs Sharp Electronics
3 Corporation ("SEC") and Sharp Electronics Manufacturing Company of America, Inc.
4 ("SEMA") (collectively, "Sharp") hereby respond to Thomson SA's First Set of Requests for
5 Admission, dated August 1, 2014 (the "Requests for Admission") as follows:
6

7 **GENERAL OBJECTIONS**

8 The following general objections ("General Objections") are incorporated in
9 Sharp's responses ("Responses") to each and every request for admission contained in the
10 Requests for Admission. No Response to any request for admission shall be deemed a waiver of
11 Sharp's General Objections.

12 1. Sharp objects to the Requests for Admission and the instructions therein to the extent that
13 they seek to impose obligations on Sharp beyond those imposed by the Federal Rules of Civil
14 Procedure, the Local Civil Rules of the Northern District of California, or any applicable order of
15 the Court.

16 2. Sharp objects to the Requests for Admission to the extent that they seek or call for
17 information that can equally or more readily, conveniently, and in a less burdensome fashion be
18 obtained by Defendants from public sources.

19 3. Sharp objects to the Requests for Admission to the extent that they seek or call for
20 information that can equally or more readily, conveniently, and in a less burdensome fashion be
21 obtained by Defendants from others.

22 4. Sharp objects to the Requests for Admission to the extent that they seek information that
23 is neither relevant to this litigation, nor reasonably calculated to lead to the discovery of
24 admissible evidence. Further, these Responses and Objections are without prejudice to, and not
25 a waiver of, Sharp's right to contend at trial or otherwise in this action that such information is
26 irrelevant, immaterial, inadmissible, or not a proper basis for discovery, nor any objection by
27 Sharp to any future use of such information.

28 5. Sharp objects to the Requests for Admission to the extent that they are unintelligible,
vague, ambiguous, overly broad, unduly burdensome, and oppressive.

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1 6. Sharp objects to the Requests for Admission to the extent that they seek or call for
2 information not in Sharp's possession, custody, or control.

3 7. Sharp objects to the Requests for Admission to the extent that they seek or call for
4 information or documents protected from disclosure by the attorney-client privilege, the attorney
5 work-product doctrine, or any other privilege, protection, or immunity applicable under the
6 governing law. Any information disclosed pursuant to the Requests for Admission will be
7 disclosed without waiving, but on the contrary reserving and intending to reserve, each of these
8 privileges, protections, or immunities. Any accidental disclosure of privileged information or
9 material shall not be deemed a waiver of the applicable privilege, protection, or immunity.

10 8. Sharp objects to the Requests for Admission to the extent that they are duplicative and/or
11 cumulative, either internally of themselves or of discovery previously propounded to Sharp in
12 this matter. Each such Request for Admission violates Section XV, subsections D and E, of the
13 Court's "Order Re Discovery and Case Management Protocol," entered on April 3, 2012. Order
14 Re: Discovery and Case Management Protocol, *In re Cathode Ray Tube Antitrust Litigation*,
15 Case No. 07-cv-05944-SC, MDL No. 1917 (N.D. Cal. Apr. 3, 2012) (MDL Dkt. No. 1128).

16 9. Sharp objects to the Requests for Admission, including the instructions and definitions,
17 on the grounds that Sharp will incur substantial expense in complying with them.

18 10. Sharp objects to the Requests for Admission to the extent that they prematurely call for
19 expert testimony and states that Sharp will provide expert disclosures as provided by the Federal
20 Rules of Civil Procedure and the orders of the court.

21 11. Sharp objects to the Requests for Admission to the extent that they call for speculation or
22 call for a conclusion on an issue of law.

23 12. Sharp objects to the Requests for Admission to the extent they seek information about
24 contentions or call for all evidence or all information in support of allegations or contentions
25 particularly insofar as Thomson SA has, to this point, refused to produce a single document from
26 France, the site of its headquarters. Sharp has not completed its discovery and preparation in
27 this matter, and its investigation of this case is ongoing. These responses are being made after
28 reasonable inquiry into the relevant facts, and are based only upon the information and

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1 documentation that is presently known to Sharp. Further investigation and discovery may result
2 in the identification of additional information or contentions, and Sharp reserves the right to
3 supplement and modify its responses. Sharp's responses should not be construed to prejudice its
4 right to conduct further investigation in this case, or to limit Sharp's use of any additional
5 evidence that may be developed.
6

7 13. Sharp objects to, and expressly disclaims, any need or intent to prove any facts listed
8 herein as a prerequisite to proving its claims at trial.

9 14. Sharp reserves its right to try its case as it determines is best at trial. This includes by not
10 using facts or information stated herein or using facts or information in addition to those stated
11 herein.

12 15. Sharp's responses will be subject to the Stipulated Protective Order entered in this action
13 (MDL Dkt. No. 306).

14 16. Sharp objects to the Requests for Admission to the extent they contain any incidental or
15 implied admission of fact or law. Sharp's responses to all or any part of any Request should not
16 be taken as an incidental or implied admission, agreement, or concurrence that: (i) Sharp accepts
17 or admits an express or implied assumption of fact set forth in or assumed by the Request; (ii)
18 Sharp accepts or admits any express or implied assumption of law set forth in or assumed by the
19 Request; (iii) Sharp has in its possession, custody, or control documents or information
20 responsive to that Request; or (iv) documents or information responsive to that Request exist.

21 17. Sharp objects to the extent the Requests misrepresent Sharp's allegations and the
22 opinions expressed by Sharp's expert(s) in this case.

23 18. Sharp objects to the definition of "You," "Your," and "Yourself" as overbroad, vague,
24 and not reasonably calculated to lead to the discovery of admissible evidence. In responding to
25 the Interrogatories directed to "You," "Your," or "Yourself" Sharp will respond for the Plaintiffs
26 SEC and SEMA and persons acting on their behalf.

27 19. Sharp objects to the definition of "Documents" as vague, ambiguous, and unreasonably
28 broad and, depending upon Defendant's meaning may call for a legal conclusion. Sharp also
objects to the definition of "Documents" to the extent that it calls for documents that are subject

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1 to the attorney-client privilege, the work-product doctrine, other applicable privilege, or are not
2 in Sharp's possession, custody or control.

3
4 20. Sharp objects to the definition of "CDT Products" to the extent that it mischaracterizes
5 Sharp's Complaint. For purposes of these responses only, Sharp shall use the term "CDT
6 Products" to mean finished products containing CDTs such as cathode ray tube monitors.

7 21. Sharp objects to the construction of "and" and "or" disjunctively or conjunctively as
8 vague, ambiguous, and confusing, and likely to create multiple, contradictory meanings from the
9 same language. Sharp uses "and" and "or" according to their ordinary meanings.

10 22. Sharp objects to Definition No. 10 because it is vague, ambiguous, and confusing and
11 likely to create multiple, contradictory meanings from the same language. Sharp uses singular
12 and plural pronouns according to their ordinary meanings.

13 23. Sharp objects to Definition No. 11 because it is vague, ambiguous, and confusing and
14 likely to create multiple, contradictory meanings from the same language. Sharp uses the present
15 and past tenses according to their ordinary meanings.

16 24. Sharp objects to the construction of "any" to include "all" and vice versa as vague,
17 ambiguous, and confusing, and likely to create multiple, contradictory meanings from the same
18 language. Sharp further objects to the definition of "any" as not reasonably limited in scope or
19 time. Sharp uses "any" and "all" according to their ordinary meanings.

20 **RESPONSES TO REQUESTS FOR ADMISSION**

21 **Request for Admission No. 1:**

22 Admit that You have no Evidence that Thomson SA manufactured or sold CDTs during
23 the Relevant Period.

24 **Response to Request for Admission No. 1:**

25 Sharp refers to and incorporates its General Objections as if set forth fully herein. Sharp
26 also objects to this Request to the extent that it calls for information that is already in the
27 possession, custody, or control of Defendants, or that can equally or more readily, conveniently,
28 and in a less burdensome fashion be obtained by Defendants. Sharp objects to the Requests for

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1 Admission to the extent that they seek information that is neither relevant to this litigation, nor
2 reasonably calculated to lead to the discovery of admissible evidence.

3
4 Subject to and without waiving the foregoing objections, Sharp admits this Request.

5 **Request for Admission No. 2:**

6 Admit that You have no Evidence that Thomson SA manufactured or sold CDT Products
7 during the Relevant Period.

8 **Response to Request for Admission No. 2:**

9 Sharp refers to and incorporates its General Objections as if set forth fully herein. Sharp
10 also objects to this Request to the extent that it calls for information that is already in the
11 possession, custody, or control of Defendants, or that can equally or more readily, conveniently,
12 and in a less burdensome fashion be obtained by Defendants. Sharp objects to the Requests for
13 Admission to the extent that they seek information that is neither relevant to this litigation, nor
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Subject to and without waiving the foregoing objections, Sharp admits this Request.

16 **Request for Admission No. 3:**

17 Admit that You have no Evidence that Thomson Consumer manufactured or sold CDTs
18 during the Relevant Period.

19 **Response to Request for Admission No. 3:**

20 Sharp refers to and incorporates its General Objections as if set forth fully herein. Sharp
21 also objects to this Request to the extent that it calls for information that is already in the
22 possession, custody, or control of Defendants, or that can equally or more readily, conveniently,
23 and in a less burdensome fashion be obtained by Defendants. Sharp objects to the Requests for
24 Admission to the extent that they seek information that is neither relevant to this litigation, nor
25 reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without waiving the foregoing objections, Sharp admits this Request.

27 **Request for Admission No. 4:**

28 Admit that You have no Evidence that Thomson Consumer manufactured or sold CDT
Products during the Relevant Period.

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Sharp refers to and incorporates its General Objections as if set forth fully herein. Sharp also objects to this Request to the extent that it calls for information that is already in the possession, custody, or control of Defendants, or that can equally or more readily, conveniently, and in a less burdensome fashion be obtained by Defendants. Sharp objects to the Requests for Admission to the extent that they seek information that is neither relevant to this litigation, nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Sharp admits this Request.

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Dated: September 5, 2014

By /s/ Craig A. Benson

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